

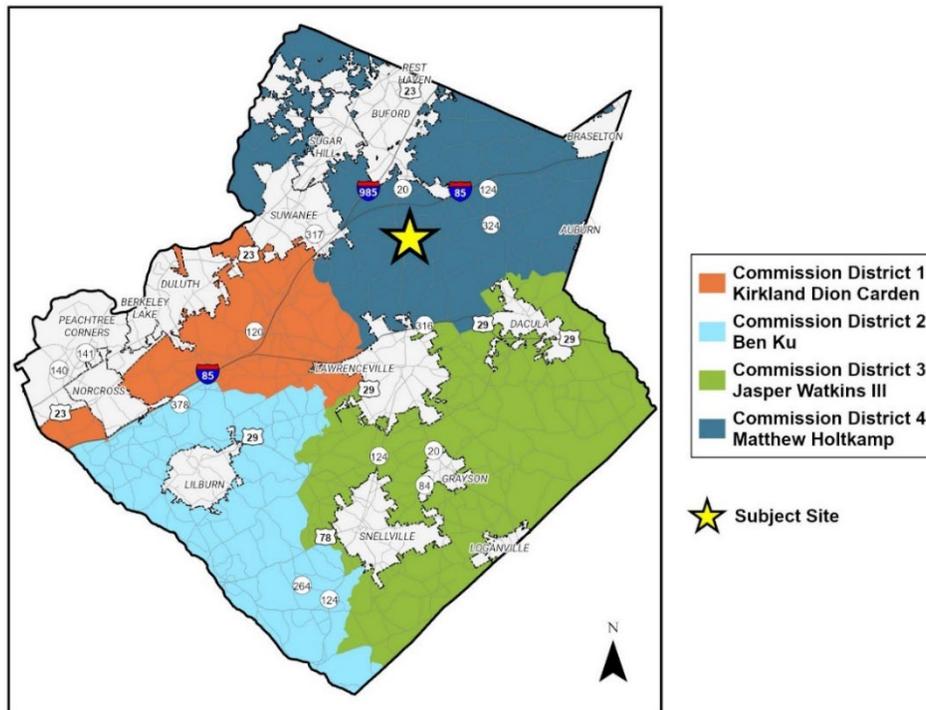


## PLANNING AND DEVELOPMENT DEPARTMENT CASE REPORT

**Case Number:** CIC2023-00004  
**Current Zoning:** TND (Traditional Neighborhood Development District)  
**Request:** Change in Conditions  
**Addresses:** 1274 Old Peachtree Road  
**Map Numbers:** R7104 029  
**Site Area:** 14.54 acres  
**Lots:** 100  
**Proposed Development:** Traditional Neighborhood Development  
**Commission District:** District 4 – Commissioner Holtkamp  
**Character Area:** Emerging Suburban

**Staff Recommendation:** APPROVAL WITH CONDITIONS

**Planning Commission Recommendation:** APPROVED WITH CONDITIONS



**Planning Commission Advertised Public Hearing Date: 2/8/2023 (Public Hearing Held/ Recommendation Tabled to 3/7/2023)**

**Board of Commissioners Advertised Public Hearing Date: 2/28/2023 (Public Hearing Tabled To 3/28/2023)**



Location	Land Use	Zoning	Density
Existing	Traditional Neighborhood Development	TND	6.87 units per acre (Phase 2)
North	Single-Family Residential	R-100	2.46 units per acre
East	Traditional Neighborhood Development	TND	4.33 units per acre
South	Single-Family Residential	R-100	1.26 units per acre
West	Traditional Neighborhood Development	TND	4.73 units per acre

## Project Summary

The applicant requests a change in conditions for a 14.54-acre property zoned TND to construct attached and detached single-family residences, including:

- A change in conditions of case RZR2019-00002. The applicant is requesting a revision to the following condition:
  - Condition 2A, *“Provide a 50-foot buffer along all exterior property lines adjacent to the residentially zoned property.”* The applicant is requesting this condition be amended to require a buffer only along the northwestern property line adjacent to R-100 zoned properties since all other adjacent parcels are part of the overall development.
  - Condition 2K, *“A 6-foot-high wooden opaque privacy fence shall be required along the northeastern and northwestern property line. The fence shall be subject to the review and approval of the Director of Planning and Development”* The applicant is requesting this condition be amended to only require the fence along the northwestern property line adjacent to R-100 zoned properties.
- A total of 145 lots approved for detached and attached single family units yielding a net density of 4.95 units per acre pursuant to RZR2019-00002 to be developed in two phases. Phase two includes 14.54-acres (part of the 29.28-acre, Beacon at Old Peachtree subdivision) and consists of 100 lots.
- A minimum heated floor area of 2,200 square feet, 2,400 square feet, and 2,000 square feet for small lots, mid-sized lots, and townhouses, respectively.
- One site entrance from Old Peachtree Road for the entire subdivision.
- A 50-foot-wide buffer and a 6-foot-high wooden opaque fence along the northwestern property line adjacent to R-100 zoned properties.
- As required by current conditions, front and side facades consisting primarily of brick and/or stacked stone.

## Zoning and Development Standards

The applicant is requesting a change in conditions in the TND, Traditional Neighborhood Development District. The following is a summary of applicable development standards from the Unified Development Ordinance (UDO):

Standard	Required	Proposed	Meets Standard?
Building Height	Maximum 35'	<35'	YES
Front Yard Setback	5'-15'	5'	YES
Side Yard Setback	5'-15'	5'	YES
Rear Yard Setback	Minimum 20'	20'	YES
Standard	Required	Proposed	Meets Standard?
Heated Floor Area	Detached: Minimum 1,450 SF Townhouses: Minimum 1,200 SF	Detached: Minimum 2,200 SF Townhouses: 2,000 SF	YES
Zoning Buffer	50' along northeast and northwest property lines (RZR2019-00002)	50' along northwest property line only	YES

### Internal and External Agency Review

In addition to these Development Standards, the applicant must meet all other UDO requirements related to infrastructure improvements. Internal and External agency review comments are attached (Exhibit F). Standard site and infrastructure improvements will also be required related to transportation, stormwater, water, and sewer utilities. Recommended improvements not already required by the UDO have been added as staff recommended conditions.

### Staff Analysis

**Change in Conditions Request Analysis:** According to the UDO, if a proposed amendment is for the rezoning of property and involves a change in zoning classification or a change in conditions the Department shall evaluate the request and make a recommendation with respect to the standards governing exercise of zoning power as defined in Section 270-20.5. After this evaluation, staff makes the following findings based on the standards from the UDO:

**A. Whether a proposed change in conditions will permit a use that is suitable in view of the use and development of adjacent and nearby property.**

The proposed change in conditions would remove the fence and buffer requirements along the northeastern property line. The fence and buffer were required as a condition of approval with the intent to protect the adjacent residentially zoned parcels. However, in 2020 the adjacent parcels to the northeast were rezoned to the same zoning district and are being developed as a phase of the subdivision on the subject parcel, which negates the necessity of the fence and buffer requirement. Therefore, a proposed change in conditions would permit a use that is suitable in view of the use and development of the adjacent and nearby property.

**B. Whether a proposed change in conditions will adversely affect the existing use or usability of adjacent or nearby property.**

The change in conditions request would remove the buffer and fence requirements between the two phases of the same subdivision. As previously stated, the buffer and fence requirement were to protect a large lot of single-family residences from the TND subdivision. Since the

property is no longer zoned for low-density residential, the existing use and usability of adjacent or nearby properties would not be impacted by the change in conditions.

**C. Whether the property to be affected by a proposed change in conditions has a reasonable economic use as currently zoned.**

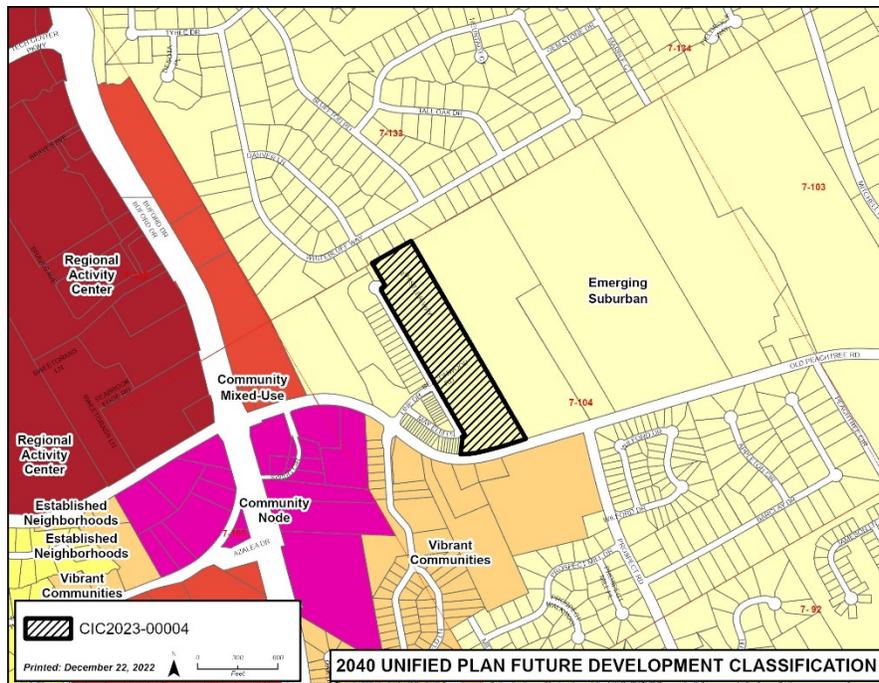
The property has a reasonable economic use as currently zoned.

**D. Whether the proposed change in conditions will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.**

No increase in impacts on public facilities would be anticipated in the form of traffic, utility demand, or stormwater runoff. No increased impact is anticipated on school enrollment. Agency review comments related to any potential improvements concerning this rezoning and change in conditions request is attached (Exhibit F).

**E. Whether the proposed change in conditions is in conformity with the policy and intent of the Unified Plan and Future Development Map.**

The 2040 Unified Plan and Future Development Map indicates the subject site is located in the Emerging Suburban Character Area. A TND development is appropriate for this primarily residential Character Area. The change in conditions is not proposing any major changes to the currently approved development and is consistent with the policy and intent of the 2040 Unified Plan.



**F. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the proposed change in conditions.**

The subject property was rezoned to TND in 2019. Two adjacent parcels to the east were rezoned to TND in 2020 and 2022. The change in zoning and the new future use of the adjacent parcel negates the necessity of the buffer and fence on the subject parcel. The applicant is proposing to build the buffer and fence, required by the zoning condition along the northwestern property boundary. Therefore, the change in the zoning category of the adjacent parcel and recent zoning approvals give supporting grounds for approval of the proposed change in conditions.

### **Staff Recommendation**

Based on the staff’s evaluation of the request and the standards governing exercise of zoning power, the Department of Planning and Development recommends **APPROVAL WITH CONDITIONS** of the change in conditions request.

### **Planning Commission Recommendation**

Based on staff’s evaluation of the request, information presented at the public hearing, and the Planning Commission’s consideration of the standards governing the exercise of zoning power related to this application, the Planning Commission recommends **APPROVAL WITH CONDITIONS** of the change in conditions request.

### **Planning Commission Recommended Conditions (includes Staff Recommended Conditions, as Amended)**

The conditions below are those from RZR2019-00002 with suggested changes in bold or strikethrough.

Approval of a Change in Conditions to eliminate zoning buffer and fence requirements along the northeastern property boundary, subject to the following conditions:

1. To restrict the use of the property as follows:
  - A. Single family detached dwellings and accessory structures with the following limitations:
    - i. No more than 20% of the total number of lots may be categorized as “small villa lots” per the TND standards within the Unified Development Ordinance.
    - ii. No more than 29% of the total number of lots may be categorized as “mid- or large lots” per the TND standards within the Unified Development Ordinance.
    - iii. No more than 51% of the total number of lots may be categorized as Townhomes per the TND standards within the Unified Development Ordinance.
  - B. The minimum heated floor area per dwelling shall be as follows:
    - i. Small Lot dwellings: 2,200 square feet
    - ii. Mid-size Lot and larger dwellings: 2,400 square feet
    - iii. Townhomes 2,000 square feet

- C. Homes shall be constructed with front and side facades primarily of brick and/or stacked stone. The balance of the home may be the same or of cedar or fiber-cement siding or shake with a minimum three-foot brick or stacked stone water table.
  - D. All dwellings shall have a minimum two-car garage. "Small lot" residences shall have rear entry garages served by alleys. Alleys shall be constructed with a maximum width of 16 feet with no curb or roll-back curb only. No utility easements shall be allowed within any alley. One access point from a public right-of-way or a private street to the alley shall be required for every eight homes served by the alley. Final layout shall be subject to the review and approval of the Director of Planning and Development.
  - E. A minimum of one on-street parking space shall be provided for every three rear-entry homes. On-street parking shall be designed so as to provide landscaped islands between every four spaces and parking shall be offset on the other side of the street so as to only allow parking on one side of the street at any given location.
2. To satisfy the following site development considerations:
- A. Provide a 50-foot buffer along **all exterior the ~~northwestern~~** property lines adjacent to residentially **R-100** zoned property **with the exception of any necessary future roadway or utility connections.**
  - B. Maintain a minimum 40-foot building setback from the right-of-way of Old Peachtree Road.
  - C. The Old Peachtree Road frontage shall be landscaped by the developer and maintained by the Homeowner's Association and shall include decorative masonry entrance features. A decorative fence shall be required along the Old Peachtree Road right-of-way. Landscaping plans, entrance features and fencing shall be subject to the review and approval of the Director of Planning and Development.
  - D. A mandatory Homeowner's Association shall be established and shall be responsible for maintenance of all common areas/facilities and street frontage landscaping.
  - E. Common area and a recreation area shall be provided in general accordance with the submitted rezoning exhibit. Pocket parks with amenities shall be provided along the internal street network and evenly spaced throughout the development. Design and location of all recreational areas shall be subject to the review and approval of the Director of Planning and Development.
  - F. All utilities shall be placed underground.
  - G. Detention pond(s) shall be fenced with a black vinyl-coated chain link fence a minimum of four feet in height and shall be screened from view of adjacent residences with a double staggered row of evergreens.
  - H. Natural vegetation shall remain on the property prior to the issuance of a Development Permit.
  - I. All grassed areas on dwelling lots shall be sodded.
  - J. No direct lot access shall be allowed to Old Peachtree Road.

- K. A 6-foot-high wooden opaque privacy fence shall be required along the ~~northeastern and~~ northwestern property line **adjacent to R-100 zoned property**. The fence shall be subject to review and approval of the Director of Planning and Development.
3. To abide by the following requirements, dedications and improvements.
- A. Provide a left turn lane on Old Peachtree Road at the project entrance.
  - B. Provide an acceleration lane along the frontage of the property, which shall extend south toward the intersection of Buford Drive.

**Exhibits:**

- A. Site Visit Photos
- B. Previously Approved Resolution and Site Plan
- C. Site Plan
- D. Letter of Intent and Applicant's Response to Standards
- E. Application and Disclosure of Campaign Contributions
- F. Internal and External Agency Review Comments
- G. Maps

**Exhibit A: Site Visit Photos**



View From Old Peachtree Road



View From Old Peachtree Road

**Exhibit B: Previously Approved Resolution and Site Plan**

**[attached]**

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1/5/2023

CASE NUMBER RZR2019-00002  
GCID 2019-0051

APPLICANTS  
REQUESTED  
CHANGES  
2a and 2k.

WINNETT COUNTY  
BOARD OF COMMISSIONERS  
LAWRENCEVILLE, GEORGIA

RESOLUTION ENTITLED: AMENDMENT TO THE OFFICIAL ZONING MAP

ADOPTION DATE: MARCH 26, 2019

At the regular meeting of the Gwinnett County Board of Commissioners held in the Gwinnett Justice and Administration Center, Auditorium, 75 Langley Drive, Lawrenceville, Georgia.

	<u>Present</u>	<u>Vote</u>
Charlotte J. Nash, Chairman	Yes	Aye
Jace Brooks, District 1	Yes	Aye
Ben Ku, District 2	Yes	Aye
Tommy Hunter, District 3	Yes	Aye
Marlene Fosque, District 4	Yes	Aye

On motion of COMM. FOSQUE, which carried 5-0, the following Resolution was adopted:

A RESOLUTION TO AMEND THE OFFICIAL ZONING MAP

WHEREAS, the Municipal-Gwinnett County Planning Commission has held a duly advertised public hearing and has filed a formal recommendation with the Gwinnett County Board of Commissioners upon an Application to Amend the Official Zoning Map from R-100 to TND by EMBRY DEVELOPMENT COMPANY, LLC for the proposed use of a SINGLE-FAMILY SUBDIVISION on a tract of land described by the attached legal description, which is incorporated herein and made a part hereof by reference; and

WHEREAS, notice to the public regarding said Amendment to the Official Zoning Map has been duly published in THE GWINNETT DAILY POST, the Official News Organ of Gwinnett County; and

WHEREAS, a public hearing was held by the Gwinnett County Board of Commissioners on MARCH 26, 2019 and objections were not filed.

NOW, THEREFORE, BE IT RESOLVED by the Gwinnett County Board of Commissioners, this the 26<sup>th</sup> day of MARCH 2019, that the aforesaid application to amend the Official Zoning Map from R-100 to TND is hereby **APPROVED** with the following enumerated conditions:

1. To restrict the use of the property as follows:

A. Single family detached dwellings and accessory structures with the following limitations:

- i. No more than 20% of the total number of lots may be categorized as "small villa lots" per the TND standards within the Unified Development Ordinance.
- ii. No more than 29% of the total number of lots may be categorized as "mid- or large lots" per the TND standards within the Unified Development Ordinance.
- iii. No more than 51% of the total number of lots may be categorized as Townhomes per the TND standards within the Unified Development Ordinance.

B. The minimum heated floor area per dwelling shall be as follows:

- |      |                                    |                   |
|------|------------------------------------|-------------------|
| i.   | Small Lot dwellings:               | 2,200 square feet |
| ii.  | Mid-size Lot and larger dwellings: | 2,400 square feet |
| iii. | Townhomes                          | 2,000 square feet |

C. Homes shall be constructed with front and side facades primarily of brick and/or stacked stone. The balance of the home may be the same or of cedar or fiber-cement siding or shake with a minimum three-foot brick or stacked stone water table.

1/5/2023

CASE NUMBER RZR2019-00002  
GCID 2019-0051

D. All dwellings shall have a minimum two-car garage. "Small lot" residences shall have rear entry garages served by alleys. Alleys shall be constructed with a maximum width of 16 feet with no curb or roll-back curb only. No utility easements shall be allowed within any alley. One access point from a public right-of-way or a private street to the alley shall be required for every eight homes served by the alley. Final layout shall be subject to the review and approval of the Director of Planning and Development.

E. A minimum of one on-street parking space shall be provided for every three rear-entry homes. On-street parking shall be designed so as to provide landscaped islands between every four spaces and parking shall be offset on the other side of the street so as to only allow parking on one side of the street at any given location.

2. To satisfy the following site development considerations:

A. ~~Provide a 50-foot buffer along all exterior property lines adjacent to residentially zoned property.~~ "Provide a 50-foot buffer adjacent to residentially zoned properties lying to the northwest."

B. Maintain a minimum 40-foot building setback from the right-of-way of Old Peachtree Road.

C. The Old Peachtree Road frontage shall be landscaped by the developer and maintained by the Homeowner's Association, and shall include decorative masonry entrance features. A decorative fence shall be required along the Old Peachtree Road right-of-way. Landscaping plans, entrance features and fencing shall be subject to the review and approval of the Director of Planning and Development.

D. A mandatory Homeowner's Association shall be established and shall be responsible for maintenance of all common areas/facilities and street frontage landscaping.

E. Common area and a recreation area shall be provided in general accordance with the submitted rezoning exhibit. Pocket parks with amenities shall be provided along the internal street network and evenly spaced throughout the development. Design and location of all recreational areas shall be subject to the review and approval of the Director of Planning and Development.

F. All utilities shall be placed underground.

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1/5/2023

CASE NUMBER RZR2019-00002  
GCID 2019-0051

- G. Detention pond(s) shall be fenced with a black vinyl-coated chain link fence a minimum of four feet in height, and shall be screened from view of adjacent residences with a double staggered row of evergreens.
- H. Natural vegetation shall remain on the property prior to the issuance of a Development Permit.
- I. All grassed areas on dwelling lots shall be sodded.

J. ~~No direct lot access shall be allowed to Old Peachtree Road.~~

K. A 6-foot high wooden opaque privacy fence shall be required along the ~~northeastern and~~ northwestern property line. The fence shall be subject to review and approval of the Director of Planning and Development.

3. To abide by the following requirements, dedications and improvements.

- A. Provide a left turn lane on Old Peachtree Road at the project entrance.
- B. Provide an acceleration lane along the frontage of the property, which shall extend south toward the intersection of Buford Drive.

GWINNETT COUNTY BOARD OF COMMISSIONERS

By: Charlotte J. Nash  
Charlotte J. Nash, Chairman

Date Signed: 4/2/19

ATTEST:

Diane Kemp  
County Clerk/Deputy County Clerk



**Exhibit C: Site Plan**

**[attached]**



**Exhibit D: Letter of Intent and Applicant's Response to Standards**

**[attached]**

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1/5/2023

MAXWELL-REDDICK  
AND ASSOCIATES

**LETTER OF INTENT -**

Project:

Related Documents:

**CHANGE IN CONDITIONS TO RZR2019-00002 [TND]**

BEACON @ OLD PEACHTREE RD

Unit 1 FPL2021-00045 Final Plat, Unit 2 PLAT2022-00332 (*in review*)

Project: BEACON @ OLD PEACHTREE

Zoning: RZR2019-00002 [TND]

Parent Parcel ID: R7104 029

Parent Address: 1274 Old Peachtree RD NE, Lawrenceville,

Site Acres: 14.41 Unit 2

Developer/Owner: Stanley Martin Homes, LLC

**REQUEST:**

We are requesting that Conditions 2a and 2k be amended as follows:

CONDITION 2a: DELETE in its entirety and INSERT *"Provide a 50-foot buffer adjacent to residentially zoned properties lying to the northwest."*

CONDITION 2k: DELETE the words reading: *"northeastern and"*, thus only applicable to the northwest, R-100 adjacent parcel.

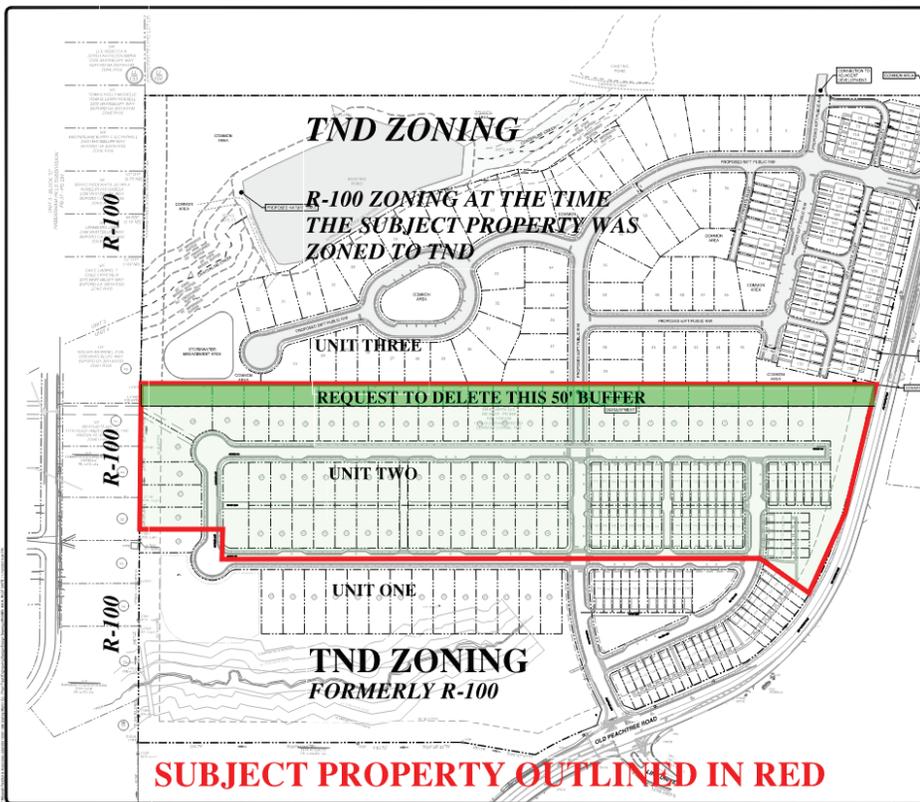
**JUSTIFICATION:**

Referring to RZR2019-00002:

Condition 2a reads: *"Provided a 50-foot buffer along all exterior property lines adjacent to residentially-zoned property."*

Condition 2k reads in part: *"A 6-foot high wooden opaque privacy fence shall be required along the northeastern and northwestern property line."*

RZR2019-00002, Condition 2a imposed a 50' buffer across the NE & NW boundary lines. This is consequential to the fact that at the time of rezoning, the parcels to the northeast and northwest were zoned R-100. The northeast parcel (PIN # 7104 009) recently has been rezoned to TND (RZR2020-00029) which is the same as the subject property. We now have two like zoning districts on adjoining parcels, owned and being developed by one developer/owner. Condition 2k requires a 6' fence within the buffer. Correspondingly, as the zoning districts are the same, no fence is warranted.



**Exhibit E: Application and Disclosure of Campaign Contributions**

**[attached]**



**CHANGE IN CONDITIONS APPLICATION**

AN APPLICATION TO AMEND THE OFFICIAL ZONING MAP OF GWINNETT COUNTY, GEORGIA

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: <u>Jim Warren</u>	NAME: <u>Matt Walters, Division President</u>
ADDRESS: <u>2500 Northwinds Pkwy. Suite 360</u>	ADDRESS: <u>6285 Barfield RD., Suite 100</u>
CITY: <u>Alpharetta</u>	CITY: <u>Sandy Springs</u>
STATE: <u>GA</u> ZIP: <u>30009</u>	STATE: <u>GA</u> ZIP: <u>30328</u>
PHONE: <u>404-401-7656</u>	PHONE: <u>704-363-4170</u>
EMAIL: <u>jwarren@maxred.com</u>	EMAIL: <u>WaltersMW@stanleymartin.com</u>
CONTACT PERSON: <u>Jim Warren</u> PHONE: <u>404-401-7656</u>	
CONTACT'S E-MAIL: <u>jwarren@maxred.com</u>	

APPLICANT IS THE:	
<input checked="" type="checkbox"/> OWNER'S AGENT	<input type="checkbox"/> PROPERTY OWNER <input type="checkbox"/> CONTRACT PURCHASER
ZONING DISTRICTS(S): <u>District 7</u>	PRIOR ZONING CASE: <u>RZR2019-00002 [TND]</u>
PARCEL NUMBER(S): <u>7104 029</u>	ACREAGE: <u>14.54</u>
ADDRESS OF PROPERTY: <u>1274 Old Peachtree RD NE, Lawrenceville, GA 30043</u>	
PROPOSED CHANGE IN CONDITIONS: <u>CONDITION 2a: DELETE in its entirety and INSERT "Provide a 50-foot buffer adjacent to residentially zoned properties lying to the northwest."</u> <u>CONDITION 2k: DELETE the words reading: "northeastern and", thus only applicable to the northwest, R-100 adjacent parcel.</u>	
<b>RESIDENTIAL DEVELOPMENT:</b>	<b>NON-RESIDENTIAL DEVELOPMENT:</b>
NO. OF LOTS/DWELLING UNITS: <u>100 (SF &amp; TH)</u>	NO. OF BUILDINGS/LOTS: _____
DWELLING UNIT SIZE (Sq. Ft.): <u>2,000 to 2,400 sf</u>	TOTAL GROSS SQUARE FEET: _____
GROSS DENSITY: _____ <u>6.87 units/acre</u>	DENSITY: _____
NET DENSITY: _____ <u>6.87 units/acre</u>	

**PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED**



Project: UNIT 2 BEAGON @ OLD PEACHTREE  
FINANCING AND DEVELOPMENT  
PLAT 2022-00332 (in review)  
Related Cases: JPL 2021-00045 Final Plat, Unit 1  
Zoning: RZR2019-00002 [TND]  
Parent Parcel ID: R7104 029  
Parent Address: 1274 Old Peachtree RD NE, Lawrenceville,

Gwinnett County Planning Division  
Change in Conditions Application  
Last Updated 5/2021

**VERIFICATION OF CURRENT PAID PROPERTY TAXES  
FOR CHANGE IN CONDITIONS**

THE UNDERSIGNED CERTIFIES THAT ALL GWINNETT COUNTY PROPERTY TAXES BILLED TO DATE FOR THE PARCEL LISTED BELOW HAVE BEEN PAID IN FULL TO THE TAX COMMISSIONER OF GWINNETT COUNTY, GEORGIA. IN NO CASE SHALL AN APPLICATION OR REAPPLICATION FOR REZONING BE PROCESSED WITHOUT SUCH PROPERTY VERIFICATION.

**\* NOTE: A SEPARATE VERIFICATION FORM MUST BE COMPLETED FOR EACH TAX PARCEL INCLUDED IN THE REZONING REQUEST.**

**PARCEL I.D. NUMBER:**      Seven (7)      -104      .. R7104 029  
(Map Reference Number)      District      Land Lot      Parcel

\_\_\_\_\_  
Signature of Applicant      November 10, 2022  
Date

Jim Warren with Maxwell-Reddick and Associates, Inc. [jwarren@maxred.com 404-401-7656]  
Type or Print Name and Title

**\*\*\*PLEASE TAKE THIS FORM TO THE TAX COMMISSIONERS OFFICE AT THE GWINNETT JUSTICE AND ADMINISTRATION CENTER, 75 LANGLEY DRIVE, FOR THEIR APPROVAL BELOW.\*\*\***

**TAX COMMISSIONERS USE ONLY**

(PAYMENT OF ALL PROPERTY TAXES BILLED TO DATE FOR THE ABOVE REFERENCED PARCEL HAVE BEEN VERIFIED AS PAID CURRENT AND CONFIRMED BY THE SIGNATURE BELOW)

Amanda Alexander      Sr. Tax Business mgr.  
NAME      TITLE  
11/16/2022  
DATE



Project: GWINNETT COUNTY PEACHTREE  
 Zoning: R7104 029  
 Parent Parcel ID: R7104 029  
 Parent Address: 14411 Peachtree RD NE, Lawrenceville, GA.  
 Site Acres: 14.41 Unit 2  
 Developer/Owner: Stanley Martin Homes, LLC  
 1/5/2023

Gwinnett County Planning Division  
 Change in Conditions Application  
 Last Updated 5/2021

**CONFLICT OF INTEREST CERTIFICATION FOR CHANGE IN CONDITIONS**

The undersigned below, making application for a change in conditions, has complied with the Official Code of Georgia Section 36-67A-1, et. seq, Conflict of Interest in Zoning Actions, and has submitted or attached the required information on the forms provided.

Jim Warren 11-10-2022 Jim Warren  
 Signature of Applicant Date Type of Print Name and Title

HOLLIE EDENFIELD  
 NOTARY PUBLIC  
 BULLOCH County  
 State of Georgia  
 My Comm. Expires 9/23/2025

Hollie Edenfield 11/10/22  
 Signature of Notary Public Date Notary Seal

**DISCLOSURE OF CAMPAIGN CONTRIBUTIONS**

Have you, within the two years immediately preceding the filing of this application, made campaign contributions aggregating \$250.00 or more to a member of the Board of Commissioners or a member of the Gwinnett County Planning Commission?

YES  NO 11-10-2022 Jim Warren  
 Your Name

If the answer is yes, please complete the following section:

NAME AND OFFICAL POSITION OF GOVERNMENT OFFICIAL	CONTRIBUTIONS (List all which aggregate to \$250 or More)	DATE CONTRIBUTION WAS MADE (Within last two years)

Attach additional sheets if necessary to disclose or describe all contributions.

**Exhibit F: Internal and External Agency Review Comments**

**[attached]**



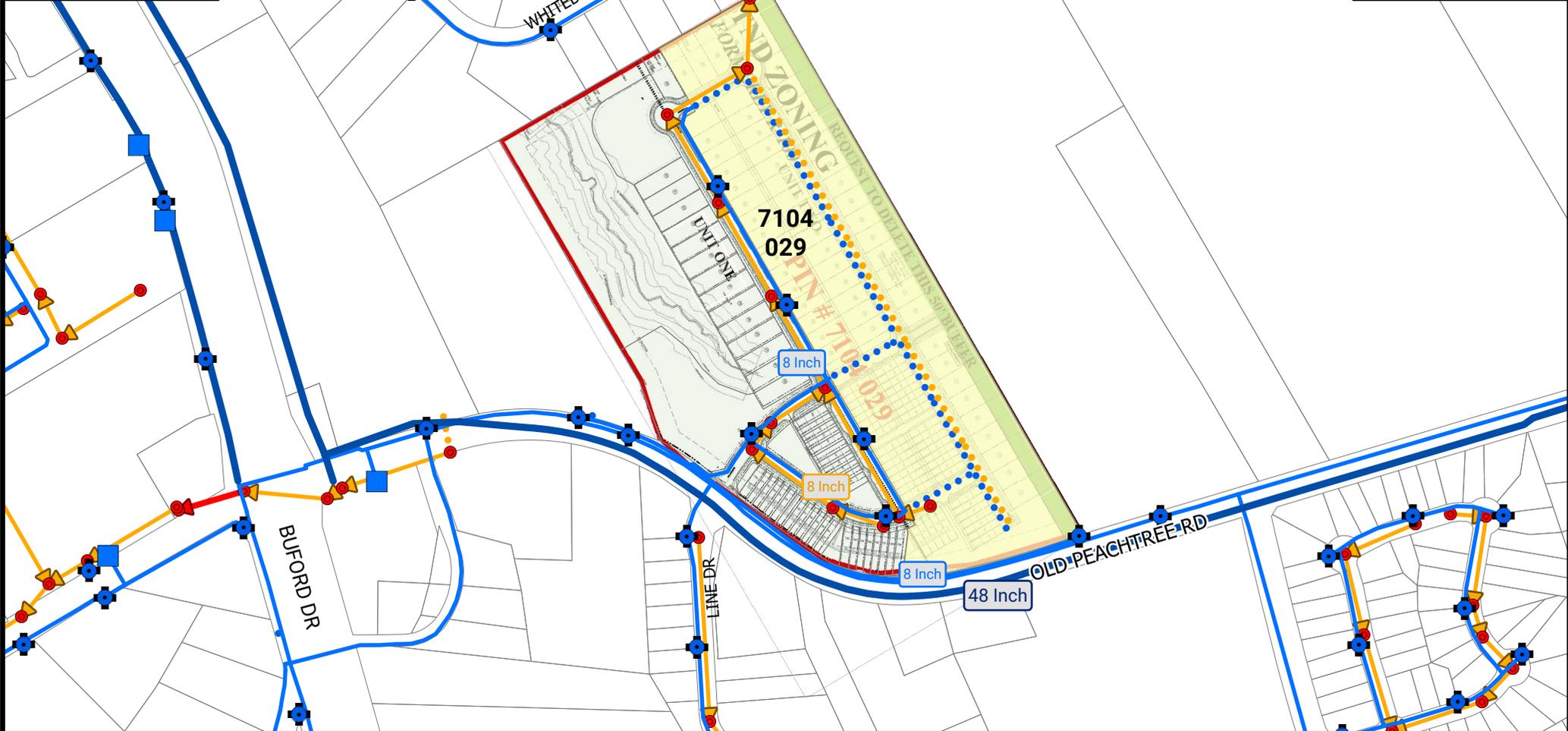
**Department of Planning and Development  
TECHNICAL REVIEW COMMITTEE**

<b>TRC Meeting Date:</b>		1.18.2023	
Department/Agency Name:		Transportation	
Reviewer Name:		Brent Hodges	
Reviewer Title:		Construction Manager 1	
Reviewer Email Address:		<a href="mailto:Brent.Hodges@gwinnettcountry.com">Brent.Hodges@gwinnettcountry.com</a>	
Case Number:		CIC2023-00004	
Case Address:		1274 Old Peachtree Road, Lawrenceville, 30043	
<b>Comments:</b>		<input checked="" type="checkbox"/>	<input type="checkbox"/>
		<b>YES</b>	<b>NO</b>
1	Old Peachtree Road is a minor arterial. ADT = 9,981.		
2	5.0 miles to the nearest transit facility (#2334754) Buford Park and Ride.		
3			
4			
5			
6			
7			
<b>Recommended Zoning Conditions:</b>		<input type="checkbox"/>	<input checked="" type="checkbox"/>
		<b>YES</b>	<b>NO</b>
1			
2			
3			
4			
5			
6			
7			



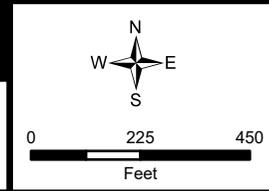
**Department of Planning and Development  
TECHNICAL REVIEW COMMITTEE**

<b>TRC Meeting Date:</b>					
Department/Agency Name:		DWR			
Reviewer Name:		Mike Pappas			
Reviewer Title:		GIS Planning Manager			
Reviewer Email Address:		<a href="mailto:Michael.pappas@gwinnettcounty.com">Michael.pappas@gwinnettcounty.com</a>			
Case Number:		CIC2023-00004			
Case Address:		1274 Old Peachtree Road			
<b>Comments:</b>		<input type="checkbox"/>	<b>YES</b>	<input checked="" type="checkbox"/>	<b>NO</b>
1	Water: Water mains have been constructed to serve the proposed development. DWR has no comment for the CIC request.				
2	Sewer: Sewer Capacity Certification C2019-12-252 was approved for this development. Gravity sewer mains have been constructed to serve the proposed development. DWR has no comment for the CIC request.				
3					
4					
5					
6					
7					
<b>Recommended Zoning Conditions:</b>		<input type="checkbox"/>	<b>YES</b>	<input checked="" type="checkbox"/>	<b>NO</b>
1					
2					
3					
4					
5					
6					
7					



Flow Management	Hydrant	Sewer Force Main
Pump Station	City	Proposed Gravity Sewer
Regional	Water Main	Sewer Collector
Manhole	Proposed Water Main	Sewer Interceptor

**1274 Old Peachtree Rd NE**  
TND  
**Water & Sewer**  
**Utility Map**



**Water Comments:** Water mains have been constructed to serve the proposed development. DWR has no comment for the CIC request.

**Sewer Comments:** Sewer Capacity Certification C2019-12-252 was approved for this development. Gravity sewer mains have been constructed to serve the proposed development. DWR has no comment for the CIC request.

**Water Availability:** Water demands imposed by the proposed development may require upsizing or extensions of existing water mains in order to meet Gwinnett County Standards and fire flow demands. Any cost associated with such required improvements will be the responsibility of the development. Current Gwinnett County Standards require a minimum of 12" pipe size for commercial developments and a minimum of 8" pipe size for residential developments. Additionally, connection to a minimum of 12" and 8" mains are required for commercial and residential developments, respectively. It is the responsibility of the developer's engineer to confirm pressure and volumes are available for the development.

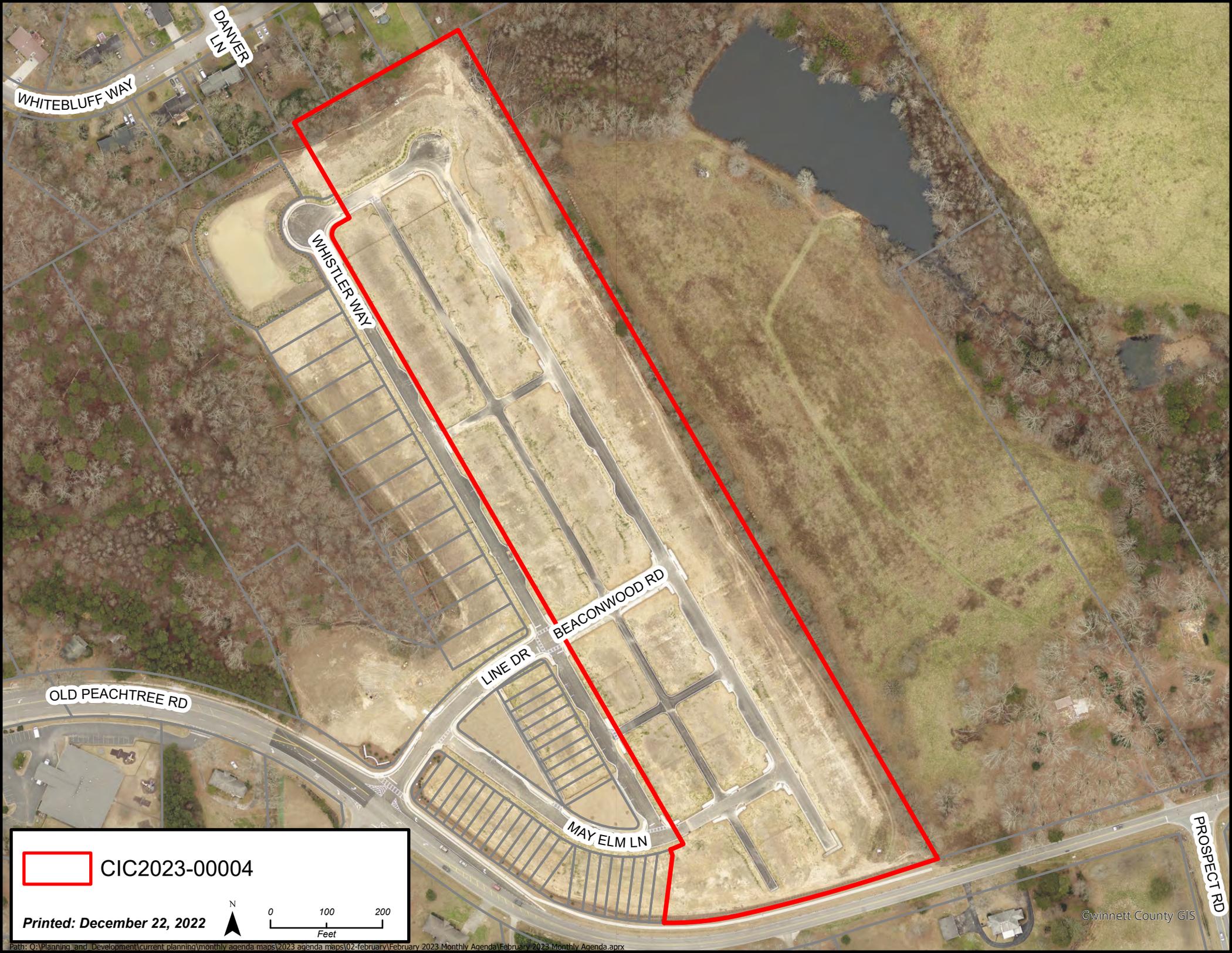
**Sewer Availability:** A Sewer Capacity Certification must be obtained from Gwinnett County to confirm the existing system can serve the development. Sewer demands imposed by the proposed development may require upsizing and/or extensions of existing sewer mains, and/or upsizing of an existing pump station, and/or installation of a new pump station. Any cost associated with such required improvements will be the responsibility of the development. The developer shall provide easements for future sewer connection to all locations designated by Gwinnett County during plan review.

**Water and Sewer Design and Construction Requirements:** Extensions of the water and/or sanitary sewer systems within the subject development must conform to this department's policies, Gwinnett County's ordinances, and the Water Main and Sanitary Sewer Design and Construction Standards and Specifications, dated April 5th, 2016. Subsequent to design, construction, inspection, and final acceptance of the required utilities, service would then become available under the applicable utility permit rate schedules.

**Private Road Developments:** Any development with private roads must comply with the Standard Policy Requirement for the Installation of Water and Sanitary Sewer Mains within Private Developments. This policy stipulates minimum easement requirements and location of public mains and appurtenances, among other requirements.

**Exhibit G: Maps**

**[attached]**



DANVER LN

WHITEBLUFF WAY

WHISTLER WAY

BEACONWOOD RD

LINE DR

OLD PEACHTREE RD

MAY ELM LN

PROSPECT RD

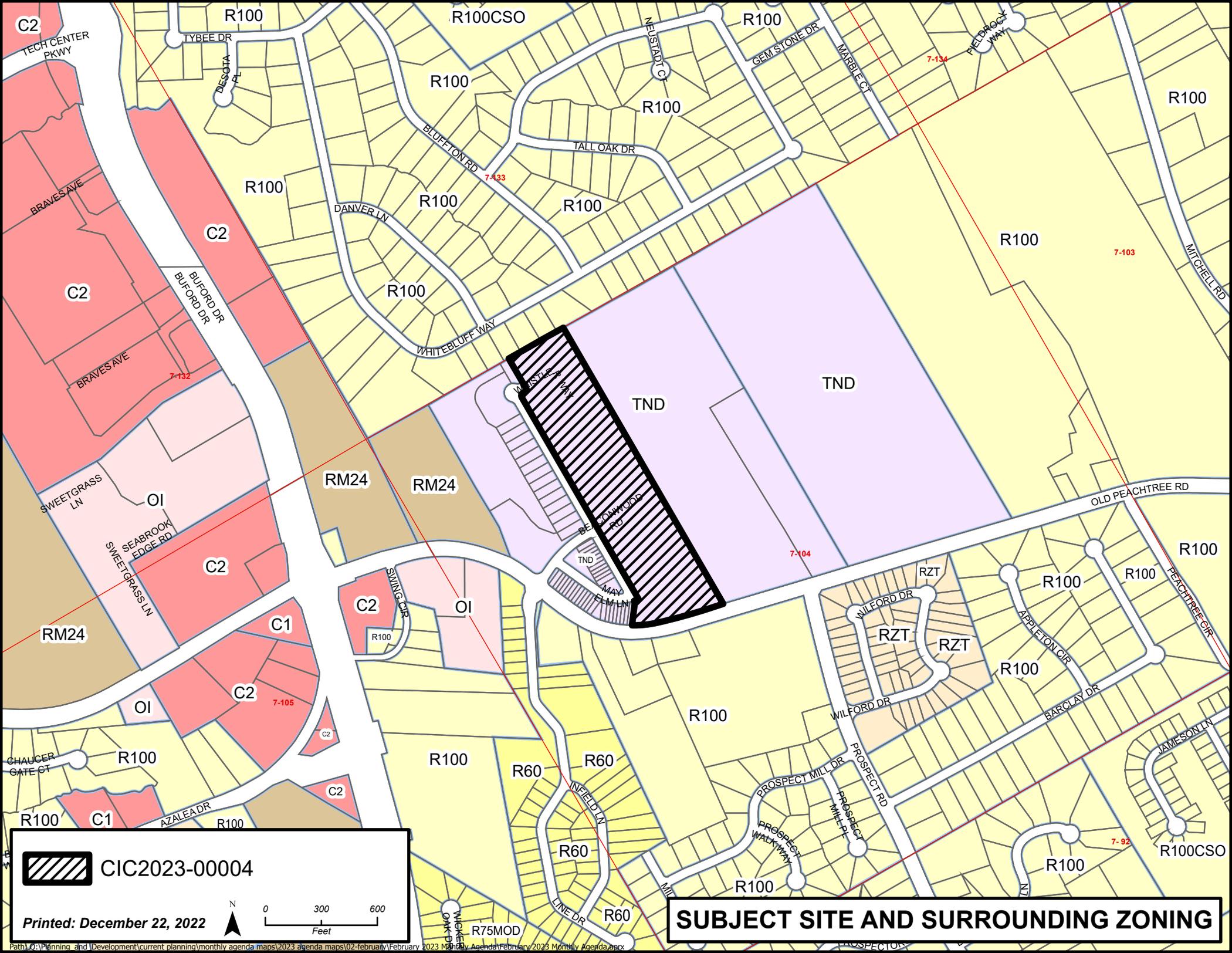
 CIC2023-00004

Printed: December 22, 2022



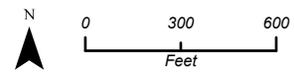
0 100 200  
Feet

©winnett County GIS

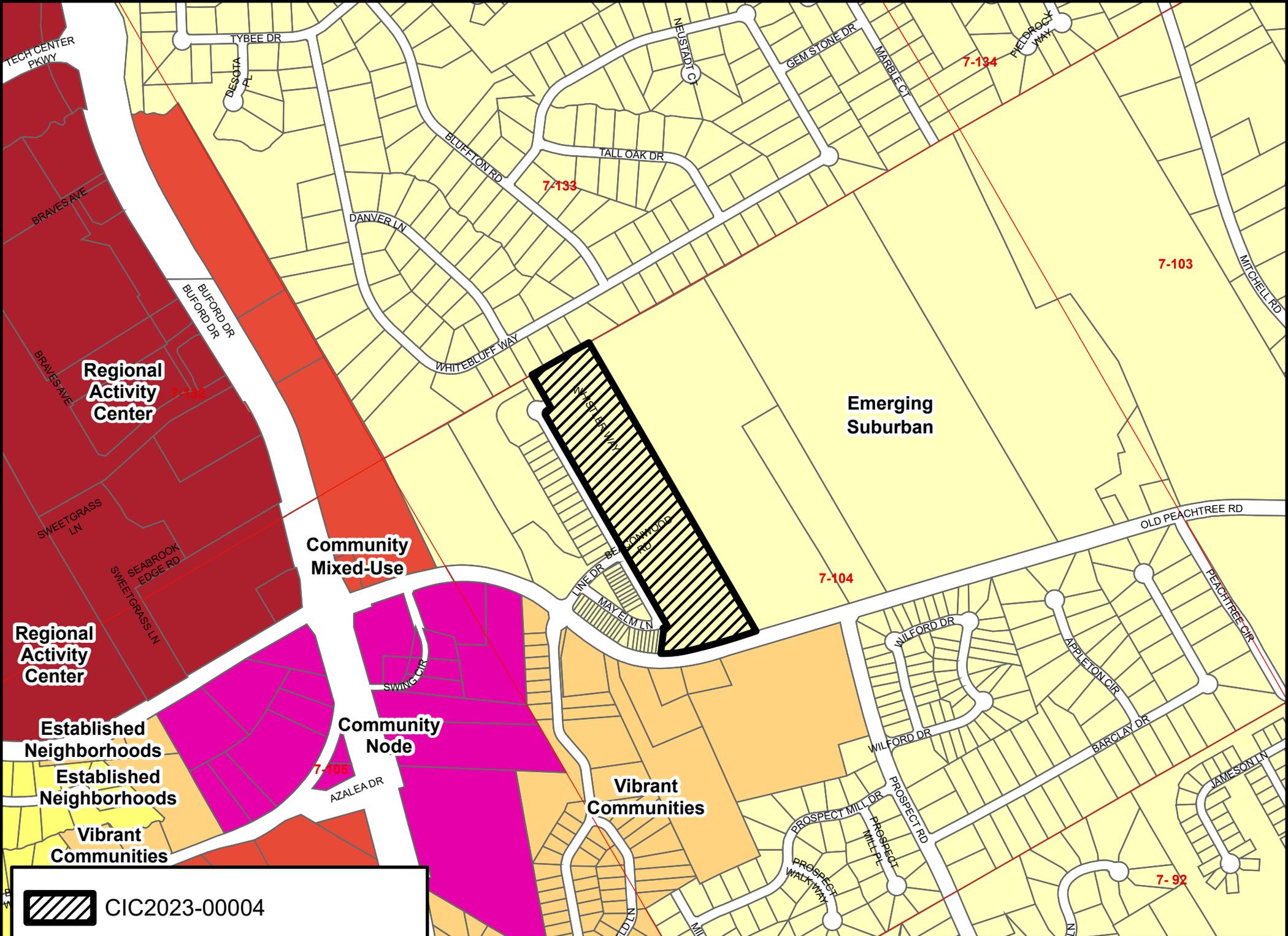


 CIC2023-00004

Printed: December 22, 2022



**SUBJECT SITE AND SURROUNDING ZONING**



 CIC2023-00004

Printed: December 22, 2022  0 300 600 Feet

**2040 UNIFIED PLAN FUTURE DEVELOPMENT CLASSIFICATION**

GWINNETT COUNTY  
 PLANNING AND DEVELOPMENT  
 RECEIVED  
 11.21.2022

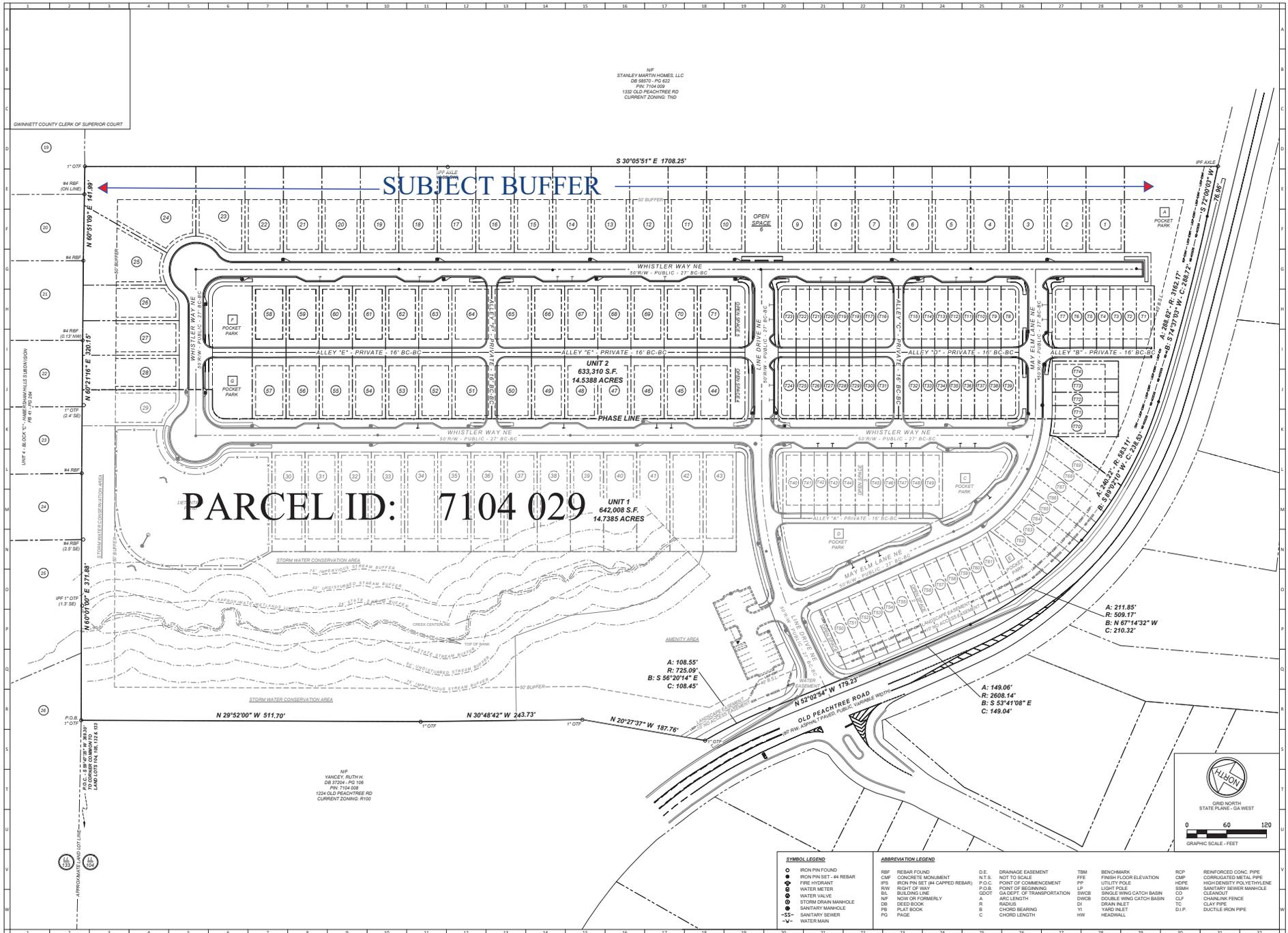
**CHANGE IN CONDITIONS APPLICATION**

AN APPLICATION TO AMEND THE OFFICIAL ZONING MAP OF GWINNETT COUNTY, GEORGIA

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: <u>Jim Warren</u>	NAME: <u>Matt Walters, Division President</u>
ADDRESS: <u>2500 Northwinds Pkwy. Suite 360</u>	ADDRESS: <u>6285 Barfield RD., Suite 100</u>
CITY: <u>Alpharetta</u>	CITY: <u>Sandy Springs</u>
STATE: <u>GA</u> ZIP: <u>30009</u>	STATE: <u>GA</u> ZIP: <u>30328</u>
PHONE: <u>404-401-7656</u>	PHONE: <u>704-363-4170</u>
EMAIL: <u>jwarren@maxred.com</u>	EMAIL: <u>WaltersMW@stanleymartin.com</u>
CONTACT PERSON: <u>Jim Warren</u> PHONE: <u>404-401-7656</u>	
CONTACT'S E-MAIL: <u>jwarren@maxred.com</u>	

APPLICANT IS THE:	
<input checked="" type="checkbox"/> OWNER'S AGENT	<input type="checkbox"/> PROPERTY OWNER
<input type="checkbox"/> CONTRACT PURCHASER	
ZONING DISTRICTS(S): <u>District 7</u> PRIOR ZONING CASE: <u>RZR2019-00002 [TND]</u>	
PARCEL NUMBER(S): <u>7104 029</u> ACREAGE: <u>29.28</u>	
ADDRESS OF PROPERTY: <u>1274 Old Peachtree RD NE, Lawrenceville, GA 30043</u>	
PROPOSED CHANGE IN CONDITIONS: <div style="font-size: small; margin-left: 20px;">           CONDITION 2a: DELETE in its entirety and INSERT "Provide a 50-foot buffer adjacent to residentially zoned properties lying to the northwest."            CONDITION 2k: DELETE the words reading: "northeastern and", <i>thus only applicable to the northwest, R-100 adjacent parcel.</i> </div>	
<b>RESIDENTIAL DEVELOPMENT:</b>  NO. OF LOTS/DWELLING UNITS: <u>145 (SF &amp; TH)</u> DWELLING UNIT SIZE (Sq. Ft.): <u>2,000 to 2,400 sf</u> GROSS DENSITY: <u>4.95 units/acre</u> NET DENSITY: <u>4.95 units/acre</u>	<b>NON-RESIDENTIAL DEVELOPMENT:</b>  NO. OF BUILDINGS/LOTS: _____ TOTAL GROSS SQUARE FEET: _____ DENSITY: _____

**PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED**



NF  
STANLEY MARTIN HOMES, LLC  
DB 8870 - PG 627  
PK 7104 029  
1231 OLD PEACHTREE RD  
CURRENT ZONING: TND

**PARCEL ID: 7104 029**  
UNIT 1  
642,008 S.F.  
14.7385 ACRES

UNIT 2  
633,310 S.F.  
14.5388 ACRES

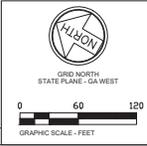
NF  
YANCEY, RUTH H  
DB 37001 - PG 106  
PK 7104 028  
1224 OLD PEACHTREE RD  
CURRENT ZONING: R100

**SYMBOL LEGEND**

- IRON PIN FOUND
- IRON PIN SET - #4 REBAR
- ⊕ FIRE HYDRANT
- ⊕ WATER METER
- ⊕ WATER VALVE
- ⊕ STORM DRAIN MANHOLE
- ⊕ SEED BOOK
- ⊕ NF NOW OR FORMERLY
- ⊕ RADIUS
- ⊕ PLAT BOOK
- ⊕ PG PAGE
- ⊕ SANITARY SEWER
- ⊕ WATER MAIN

**ABBREVIATION LEGEND**

D.E. DRAINAGE EASEMENT	TBM. BENCHMARK	RCP. REINFORCED CONG. PIPE
N.T.S. NOT TO SCALE	FFE. FINISH FLOOR ELEVATION	CMP. CORRUGATED METAL PIPE
P.O.B. POINT OF BEGINNING	LP. LIGHT POLE	HORE. HIGH DENSITY POLYETHYLENE
DOT. POINT OF COMMENCEMENT	SWCB. SWING WING CATCH BASIN	SMH. SANITARY SEWER MANHOLE
QDOT. QUANTITY OF TRANSPORTATION	DWCB. DOUBLE WING CATCH BASIN	CLF. CHAINLINK FENCE
A. ARC LENGTH	DI. DRAIN INLET	TC. CLAY PIPE
R. RADIUS	YI. YARD INLET	D.I.P. DUCTILE IRON PIPE
B. CHORD BEARING	HW. HEADWALL	
C. CHORD LENGTH		



FRONTIER SURVEYING & MAPPING, LLC  
505 DUKES ROAD, MANFIELD, GA 30057  
KEVIN H. SETTLES, PLS  
678-208-3923  
ksettles@frontiersurvey.com  
GA SURV. NO. 003130



FINAL PLAT FOR:  
**THE BEACON AT OLD PEACHTREE - UNIT TWO**  
SDP 2020-00004  
REZONING CASE NUMBER: RZ/2019-00002  
G.C.D.: 2019-0051  
COUNTY PERMIT NO.: FPL2021-00045  
Land Lot 104, 7th Land District, Gwinnett County, Georgia

THIS SURVEY WAS PREPARED IN CONFORMANCE WITH THE TECHNICAL STANDARDS FOR PROFESSIONAL SURVEYING IN THE STATE OF GEORGIA AS SET FORTH IN CHAPTER 800 OF THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL SURVEYORS AND ENGINEERS (GEORGIA PATENT ACT O.C.G.A. 13-6-47)

**PROJECT INFO**

PROJECT NO:	02060002
ISSUE DATE:	05/11/2023
SCALE:	1" = 60'
FIELD:	SM
DATE:	05/15/2021
DRAWN BY:	KRS
CHECKED BY:	KRS

**REVISIONS**

DATE	DESCRIPTION
05/15/21	ISSUE FOR PERMIT
05/15/21	ISSUE FOR PERMIT

**OVERALL BOUNDARY**

**SHEET 3 OF 7**



Project: BEACON @ OLD PEACHTREE  
 Zoning: RZR2019-00002 [TND]  
 Parent Parcel ID: R7104 029  
 Parent Address: 1274 Old Peachtree RD NE, Lawrenceville, GA.  
 Site Acres: 29.28 (Units 1 & 2 combined)  
 Developer/Owner: Stanley Martin Homes, LLC

**TND ZONING  
 R-100 ZONING AT THE TIME  
 THE SUBJECT PROPERTY WAS  
 ZONED TO TND**

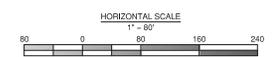
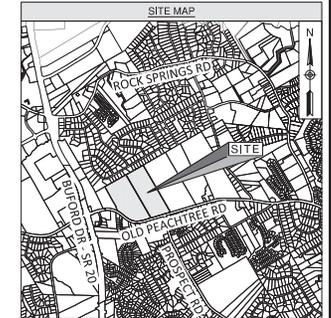
**PIN # 7104 009**

**TND ZONING  
 FORMERLY R-100**

**REQUEST TO DELETE THIS 50' BUFFER**

**PIN # 7104 029**

**SUBJECT PROPERTY OUTLINED IN RED**



**DATA SOURCE NOTE:**  
 "THE TOPOGRAPHIC AND ELEVATION DATA SHOWN HEREON WAS OBTAINED FROM GWINNETT COUNTY GIS AND FRONTIER SURVEYING AND IS NOT CERTIFIED AS CORRECT BY THIS ENGINEER. USERS OF THIS DATA DO SO AT THEIR OWN RISK!"

Professional seals and stamps for the surveying firm, including the name 'MAXWELL REDDICK AND ASSOCIATE' and the title 'ENGINEERING & LAND SURVEYING'.

Project information: **BEACON-PHARR TRACT LAND LOT 104, 7TH LAND DISTRICT GWINNETT COUNTY, GA**

Change in condition exhibit: **CHANGE IN CONDITION EXHIBIT**

DATE	PROJECT
NOV 10 2022	
JOB NO.	2021-098
SCALE	AS SHOWN

DRAWING NUMBER: **1**  
 SHEET NUMBER 1

RECEIVED

Project: BEACON @ OLD PEACHTREE  
Zoning: RZR2019-00002 [TND]  
Parent Parcel: 2019-00002  
Parent Address: 1274 Old Peachtree RD NE, Lawrenceville, GA 30043  
Site Acres: 29.28 (Units 1 & 2 combined)  
Developer/Owner: Stanley Martin Homes, LLC

Gwinnett County Planning Division  
Change in Conditions Application  
Last Updated 10/2021

**CHANGE IN CONDITIONS APPLICANT'S CERTIFICATION**

THE UNDERSIGNED BELOW IS AUTHORIZED TO MAKE THIS APPLICATION. THE UNDERSIGNED IS AWARE THAT NO APPLICATION OR REAPPLICATION AFFECTING THE SAME LAND SHALL BE ACTED UPON WITHIN 12 MONTHS FROM THE DATE OF LAST ACTION BY THE BOARD OF COMMISSIONERS UNLESS WAIVED BY THE BOARD OF COMMISSIONERS. IN NO CASE SHALL AN APPLICATION OR REAPPLICATION BE ACTED UPON IN LESS THAN SIX (6) MONTHS FROM THE DATE OF LAST ACTION BY THE BOARD OF COMMISSIONERS.

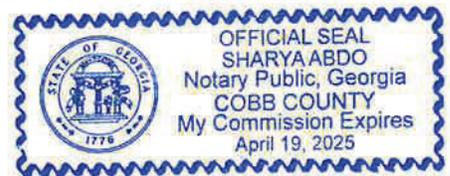
*Keith Adams*  
Signature of Applicant

NOV. 18, 2022  
Date

Keith Adams, Vice President of Land, Stanley-Martin, Homes, LLC  
Type or Print Name and Title

*Sharya Abdo*  
Signature of Notary Public

NOV. 18, 2022  
Date



Notary Seal

**CHANGE IN CONDITIONS APPLICANT'S RESPONSE**  
STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

PURSUANT TO REQUIREMENTS OF THE UNIFIED DEVELOPMENT ORDINANCE, THE BOARD OF COMMISSIONERS FINDS THAT THE FOLLOWING STANDARDS ARE RELEVANT IN BALANCING THE INTEREST IN PROMOTING THE PUBLIC HEALTH, SAFETY, MORALITY OR GENERAL WELFARE AGAINST THE RIGHT TO THE UNRESTRICTED USE OF PROPERTY AND SHALL GOVERN THE EXERCISE OF THE ZONING POWER.

PLEASE RESPOND TO THE FOLLOWING STANDARDS IN THE SPACE PROVIDED OR USE AN ATTACHMENT AS NECESSARY:

(A) WHETHER A PROPOSED CHANGE IN CONDITIONS WILL PERMIT A USE THAT IS SUITABLE IN VIEW OF THE USE AND DEVELOPMENT OF ADJACENT AND NEARBY PROPERTY:

Yes. The proposed Change in Conditions (CIC) is suitable in view of the adjacent property.

(B) WHETHER A PROPOSED CHANGE IN CONDITIONS WILL ADVERSELY AFFECT THE EXISTING USE OR USABILITY OF ADJACENT OR NEARBY PROPERTY:

No. There will be no adverse affect on adjoining property.

(C) WHETHER THE PROPERTY TO BE AFFECTED BY A PROPOSED CHANGE IN CONDITIONS HAS REASONABLE ECONOMIC USE AS CURRENTLY ZONED:

The economic use of the property is significantly reduced consequential to the imposition of the buffer.

(D) WHETHER THE PROPOSED CHANGE IN CONDITIONS WILL RESULT IN A USE WHICH WILL OR COULD CAUSE AN EXCESSIVE OR BURDENSOME USE OF EXISTING STREETS, TRANSPORTATION FACILITIES, UTILITIES, OR SCHOOLS:

No. There will be no excessive or burdensome impact on existing streets, utilities or schools.

(E) WHETHER THE PROPOSED CHANGE IN CONDITIONS IS IN CONFORMITY WITH THE POLICY AND INTENT OF THE LAND USE PLAN:

Yes. The proposed CID is consistent with County policy pertaining to standards for adjoining, identically zoned properties.

(F) WHETHER THERE ARE OTHER EXISTING OR CHANGING CONDITIONS AFFECTING THE USE AND DEVELOPMENT OF THE PROPERTY WHICH GIVE SUPPORTING GROUNDS FOR EITHER APPROVAL OR DISAPPROVAL OF THE PROPOSED CHANGE IN CONDITIONS:

RZR2019-00002, Condition 2a imposed a 50' buffer across the NE & NW boundary lines. This is consequential to the fact that at the time of rezoning, the parcel to the northeast and northwest were zoned R-100. The northeast parcel (PIN # 7104 009) recently has been rezoned to TND (RZR2020-00029) which is the same as the subject property. We now have two like zoning districts on adjoining parcels, owned and being developed by one developer/owner. Condition 2k requires a 6' fence within the buffer.

Project: GWINNETT BEACON @ OLD PEACHTREE  
PLANNING AND DEVELOPMENT  
FINAL PLAT ID: PLAT2022-00332 (in review)  
Related Case: 19-00045 Final Plat, Unit 1  
Zoning: RZR2019-00002 [TND]  
Parent Parcel ID: R7104 029

Gwinnett County Planning Division  
Change in Conditions Application  
Last Updated 5/2021

Parent Address: 1274 Old Peachtree RD NE, Lawrenceville,  
Site Acres: 29.28 acres

**VERIFICATION OF CURRENT PAID PROPERTY TAXES**  
**FOR CHANGE IN CONDITIONS**

THE UNDERSIGNED CERTIFIES THAT ALL GWINNETT COUNTY PROPERTY TAXES BILLED TO DATE FOR THE PARCEL LISTED BELOW HAVE BEEN PAID IN FULL TO THE TAX COMMISSIONER OF GWINNETT COUNTY, GEORGIA. IN NO CASE SHALL AN APPLICATION OR REAPPLICATION FOR REZONING BE PROCESSED WITHOUT SUCH PROPERTY VERIFICATION.

**\* NOTE: A SEPARATE VERIFICATION FORM MUST BE COMPLETED FOR EACH TAX PARCEL INCLUDED IN THE REZONING REQUEST.**

**PARCEL I.D. NUMBER:**      Seven (7)      -104      .. R7104 029  
(Map Reference Number)      District      Land Lot      Parcel

\_\_\_\_\_  
Signature of Applicant      November 10, 2022  
Date

Jim Warren with Maxwell-Reddick and Associates, Inc. [jwarren@maxred.com 404-401-7656]  
Type or Print Name and Title

**\*\*\*PLEASE TAKE THIS FORM TO THE TAX COMMISSIONERS OFFICE AT THE GWINNETT JUSTICE AND ADMINISTRATION CENTER, 75 LANGLEY DRIVE, FOR THEIR APPROVAL BELOW.\*\*\***

**TAX COMMISSIONERS USE ONLY**

(PAYMENT OF ALL PROPERTY TAXES BILLED TO DATE FOR THE ABOVE REFERENCED PARCEL HAVE BEEN VERIFIED AS PAID CURRENT AND CONFIRMED BY THE SIGNATURE BELOW)

Amanda Alexander      Sr. Tax Business mgr.  
NAME      TITLE

11/16/2022  
DATE

**WINNETT COUNTY  
PLANNING AND DEVELOPMENT**

Project: BEACON @ OLD PEACHTREE  
 Zoning: PD [TND]  
 Parent Parcel ID: R7104 029  
 Parent Address: 1274 Old Peachtree RD NE, Lawrenceville, GA 30043  
 Site Acres: 29.28 (Lots 1 & 2 combined)  
 Developer/Owner: Stanley Martin Homes, LLC

Gwinnett County Planning Division  
 Change in Conditions Application  
 Last Updated 5/2021

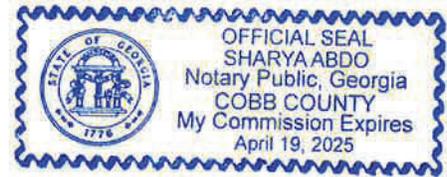
**CONFLICT OF INTEREST CERTIFICATION FOR CHANGE IN CONDITIONS**

The undersigned below, making application for a change in conditions, has complied with the Official Code of Georgia Section 36-67A-1, et. seq, Conflict of Interest in Zoning Actions, and has submitted or attached the required information on the forms provided.

Keith B. Adams      NOV. 18, 2022      Keith B. Adams, VP of Land  
 Signature of Applicant      Date      Type or Print Name and Title  
 Keith Adams, Vice President of Land, Stanley-Martin, Homes, LLC

*[Attached is Representative's COI]*

\_\_\_\_\_  
 Signature of Applicant's      Date      Type or Print Name and Title  
 Attorney or Representative



Sharya Abdo      NOV. 18, 2022      \_\_\_\_\_  
 Signature of Notary Public      Date      Notary Seal

**DISCLOSURE OF CAMPAIGN CONTRIBUTIONS**

Have you, within the two years immediately preceding the filing of this application, made campaign contributions aggregating \$250.00 or more to a member of the Board of Commissioners or a member of the Gwinnett County Planning Commission?

YES     NO    Keith Adams, Vice President of Land, Stanley-Martin, Homes, LLC  
 Your Name

If the answer is yes, please complete the following section:

NAME AND OFFICIAL POSITION OF GOVERNMENT OFFICIAL	CONTRIBUTIONS (List all which aggregate to \$250 or More)	DATE CONTRIBUTION WAS MADE (Within last two years)

Attach additional sheets if necessary to disclose or describe all contributions.

Project: BEACON @ OLD PEACHTREE  
 Zoning: RYR20-0002 (ORD)  
 Parent Parcel ID: R7104 029  
 Parent Address: 1274 Old Peachtree RD NE, Lawrenceville, GA.  
 Site Acres: 29.28 (Units 1 & 2 combined)  
 Developer/Owner: Stanley Martin Homes, LLC  
 11-21-2022

Gwinnett County Planning Division  
 Change in Conditions Application  
 Last Updated 5/2021

**CONFLICT OF INTEREST CERTIFICATION FOR CHANGE IN CONDITIONS**

The undersigned below, making application for a change in conditions, has complied with the Official Code of Georgia Section 36-67A-1, et. seq, Conflict of Interest in Zoning Actions, and has submitted or attached the required information on the forms provided.

Jim Warren 11-10-2022 Jim Warren  
 Signature of Applicant Date Type of Print Name and Title

HOLLIE EDENFIELD  
 NOTARY PUBLIC  
 BULLOCH County  
 State of Georgia  
 My Comm. Expires 9/23/2025

Hollie Edenfield 11/10/22  
 Signature of Notary Public Date Notary Seal

**DISCLOSURE OF CAMPAIGN CONTRIBUTIONS**

Have you, within the two years immediately preceding the filing of this application, made campaign contributions aggregating \$250.00 or more to a member of the Board of Commissioners or a member of the Gwinnett County Planning Commission?

YES  NO 11-10-2022 Jim Warren  
 Your Name

If the answer is yes, please complete the following section:

NAME AND OFFICAL POSITION OF GOVERNMENT OFFICIAL	CONTRIBUTIONS (List all which aggregate to \$250 or More)	DATE CONTRIBUTION WAS MADE (Within last two years)

Attach additional sheets if necessary to disclose or describe all contributions.

RECEIVED  
GWINNETT COUNTY  
PLAT 2019-00002 (PENDING)

Project: BEACON @ OLD PEACHTREE  
Parent Address: 1274 Old Peachtree RD NE,  
Lawrenceville GA 30043

**EXHIBIT "A"**  
**1274 Old Peachtree Road**

All that tract or parcel of land lying and being in Land Lot 104 of the 7<sup>th</sup> Land District, Gwinnett County, Georgia and being particularly described as follows:

To find the point of beginning, commence at the intersection of Land Lots 104, 105, 132 and 133, said point marked by a ½ inch rebar pin found in a 3 inch open top pipe; THENCE traveling on said Land Lot Line common to Land Lots 104 and 133 North 59 Degrees 48 Minutes 37 Seconds East for a distance of 369.26 feet to a point, said point marked by a 1 inch open top pipe found, said point being THE TRUE POINT OF BEGINNING.

THENCE from said point as thus established, continuing on said Land Lot Line and contiguous with Habersham Hills Subdivision the following three (3) courses and distances:

North 60 Degrees 01 Minutes 00 Seconds East for a distance of 371.88 feet to a point, said point marked by a ½ inch rebar pin found; THENCE North 60 Degrees 20 Minutes 48 Seconds East for a distance of 320.15 feet to a point, said point marked by a ½ inch rebar pin found; THENCE North 60 Degrees 51 Minutes 09 Seconds East for a distance of 141.99 feet to a point, said point marked by a 1.5 inch open top pipe found; THENCE leaving said land lot line and traveling on the line common to Mary J. Pharr South 30 Degrees 05 Minutes 51 Seconds East for a distance of 1708.25 feet to a point on the northerly right of way of Old Peachtree Road (80 foot right of way), said point marked by an Axle found; THENCE continuing on said right of way the following seven (7) courses and distances: South 72 Degrees 00 Minutes 03 Seconds West for a distance of 76.96 feet to a point; THENCE along a curve to the right having a radius of 3162.17 feet and an arc length of 288.82 feet being subtended by a chord bearing of South 74 Degrees 37 Minutes 03 Seconds West and a chord distance of 288.72 feet to a point; THENCE along a curve to the right having a radius of 583.11 feet and an arc length of 240.22 feet being subtended by a chord bearing of South 89 Degrees 02 Minutes 10 Seconds West and a chord distance of 238.53 feet to a point; THENCE along a curve to the right having a radius of 509.17 feet and an arc length of 211.85 feet being subtended by a chord bearing of North 67 Degrees 14 Minutes 32 Seconds West and a chord distance of 210.32 feet to a point; THENCE along a curve to the right having a radius of 2608.14 feet and an arc length of 149.06 feet being subtended by a chord bearing of North 53 Degrees 41 Minutes 08 Seconds West and a chord distance of 149.04 feet to a point; THENCE North 52 Degrees 02 Minutes 54 Seconds West for a distance of 179.23 feet to a point; THENCE along a curve to the left having a radius of 725.09 feet and an arc length of 108.55 feet being subtended by a chord bearing of North 56 Degrees 20 Minutes 14 Seconds West and a chord distance of 108.45 feet to a point, said point marked by a 1 inch open top pipe found; THENCE leaving said right of way and traveling on the line common to Ruth H. Yancey the following three (3) courses and distances: North 20 Degrees 27 Minutes 37 Seconds West for a distance of 187.76 feet to a point, said point marked by a 1 inch open top pipe found; THENCE North 30 Degrees 48 Minutes 42 Seconds West for a distance of 243.73 feet to a point, said point marked by a 1 inch open top pipe found; THENCE North 29 Degrees 52 Minutes 00 Seconds West for a distance of 511.70 feet to a point, said point marked by a 1 inch open top pipe found, said point being THE TRUE POINT OF BEGINNING.

Said property contains 29.277 Acres.

**RECEIVED**

11.21.2022

BEACON AT OLD PEACHTREE

CIC

PLACEHOLDER FOR PRE-APPLICATION MEETING NOTES FROM COUNTY

*11-21-2022: Have not received at the time of making application. As of last Friday, 11-18-2022, I understand that this will be provided this week per Susan Owen who contacted Arjyal S. by email. Jim Warren*

*Abrera, Johanna <Johanna.Abrera@gwinnettcountry.com> Fri, Nov 18, 2022 at 9:18 AM*

*To: Jim Warren <jwarren@maxred.com>*

*Cc: "Arjyal, Sushmita" <Sushmita.Arjyal@gwinnettcountry.com>*

*Good Morning,*

*It was a pleasure speaking with you this morning. Per our conversation, you can send us your application through drop box, but I sometimes our servers do not allow us to download attachments through that way. You can also send us the application over multiple emails to fit the attachments in or you can come in the office with the application on a zip drive.*

*If you do plan to email us your application, please email it to you  
P&D-PlanningZoning@gwinnettcountry.com*

*Unfortunately, I was unable to find the meeting minutes you had from this week with Sushmita. I have copied her on this email so she can send it to you as soon as she is back in the office.*

*Thank you and have a great weekend!*

GWINNETT COUNTY  
PLANNING AND DEVELOPMENT

RZR2019-00002

Beacon at Old Peachtree 2022-310

11.21.2022

CASE NUMBER RZR2019-00002  
GCID 2019-0051

Project: BEACON @ OLD PEACHTREE  
Zoning: RZR2019-00002 [TND]  
Parent Parcel ID: R7104 029  
Parent Address: 1274 Old Peachtree RD NE, Lawrenceville, GA.  
Site Acres: 29.28 (Units 1 & 2 combined)  
Developer/Owner: Stanley Martin Homes, LLC

APPLICANTS  
REQUESTED  
CHANGES  
2a and 2k.

GWINNETT COUNTY  
BOARD OF COMMISSIONERS  
LAWRENCEVILLE, GEORGIA

RESOLUTION ENTITLED: AMENDMENT TO THE OFFICIAL ZONING MAP

ADOPTION DATE: MARCH 26, 2019

At the regular meeting of the Gwinnett County Board of Commissioners held in the Gwinnett Justice and Administration Center, Auditorium, 75 Langley Drive, Lawrenceville, Georgia.

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	<u>Present</u>	<u>Vote</u>
Charlotte J. Nash, Chairman	Yes	Aye
Jace Brooks, District 1	Yes	Aye
Ben Ku, District 2	Yes	Aye
Tommy Hunter, District 3	Yes	Aye
Marlene Fosque, District 4	Yes	Aye

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On motion of COMM. FOSQUE, which carried 5-0, the following Resolution was adopted:

A RESOLUTION TO AMEND THE OFFICIAL ZONING MAP

WHEREAS, the Municipal-Gwinnett County Planning Commission has held a duly advertised public hearing and has filed a formal recommendation with the Gwinnett County Board of Commissioners upon an Application to Amend the Official Zoning Map from R-100 to TND by EMBRY DEVELOPMENT COMPANY, LLC for the proposed use of a SINGLE-FAMILY SUBDIVISION on a tract of land described by the attached legal description, which is incorporated herein and made a part hereof by reference; and

WHEREAS, notice to the public regarding said Amendment to the Official Zoning Map has been duly published in THE GWINNETT DAILY POST, the Official News Organ of Gwinnett County; and

WHEREAS, a public hearing was held by the Gwinnett County Board of Commissioners on MARCH 26, 2019 and objections were not filed.

NOW, THEREFORE, BE IT RESOLVED by the Gwinnett County Board of Commissioners, this the 26<sup>th</sup> day of MARCH 2019, that the aforesaid application to amend the Official Zoning Map from R-100 to TND is hereby **APPROVED** with the following enumerated conditions:

1. To restrict the use of the property as follows:

A. Single family detached dwellings and accessory structures with the following limitations:

- i. No more than 20% of the total number of lots may be categorized as "small villa lots" per the TND standards within the Unified Development Ordinance.
- ii. No more than 29% of the total number of lots may be categorized as "mid- or large lots" per the TND standards within the Unified Development Ordinance.
- iii. No more than 51% of the total number of lots may be categorized as Townhomes per the TND standards within the Unified Development Ordinance.

B. The minimum heated floor area per dwelling shall be as follows:

- i. Small Lot dwellings: 2,200 square feet
- ii. Mid-size Lot and larger dwellings: 2,400 square feet
- iii. Townhomes 2,000 square feet

C. Homes shall be constructed with front and side facades primarily of brick and/or stacked stone. The balance of the home may be the same or of cedar or fiber-cement siding or shake with a minimum three-foot brick or stacked stone water table.

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D. All dwellings shall have a minimum two-car garage. "Small lot" residences shall have rear entry garages served by alleys. Alleys shall be constructed with a maximum width of 16 feet with no curb or roll-back curb only. No utility easements shall be allowed within any alley. One access point from a public right-of-way or a private street to the alley shall be required for every eight homes served by the alley. Final layout shall be subject to the review and approval of the Director of Planning and Development.

E. A minimum of one on-street parking space shall be provided for every three rear-entry homes. On-street parking shall be designed so as to provide landscaped islands between every four spaces and parking shall be offset on the other side of the street so as to only allow parking on one side of the street at any given location.

2. To satisfy the following site development considerations:

A. ~~Provide a 50-foot buffer along all exterior property lines adjacent to residentially zoned property.~~ "Provide a 50-foot buffer adjacent to residentially zoned properties lying to the northwest."

B. Maintain a minimum 40-foot building setback from the right-of-way of Old Peachtree Road.

C. The Old Peachtree Road frontage shall be landscaped by the developer and maintained by the Homeowner's Association, and shall include decorative masonry entrance features. A decorative fence shall be required along the Old Peachtree Road right-of-way. Landscaping plans, entrance features and fencing shall be subject to the review and approval of the Director of Planning and Development.

D. A mandatory Homeowner's Association shall be established and shall be responsible for maintenance of all common areas/facilities and street frontage landscaping.

E. Common area and a recreation area shall be provided in general accordance with the submitted rezoning exhibit. Pocket parks with amenities shall be provided along the internal street network and evenly spaced throughout the development. Design and location of all recreational areas shall be subject to the review and approval of the Director of Planning and Development.

F. All utilities shall be placed underground.

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- G. Detention pond(s) shall be fenced with a black vinyl-coated chain link fence a minimum of four feet in height, and shall be screened from view of adjacent residences with a double staggered row of evergreens.
- H. Natural vegetation shall remain on the property prior to the issuance of a Development Permit.
- I. All grassed areas on dwelling lots shall be sodded.

J. ~~No direct lot access shall be allowed to Old Peachtree Road.~~

K. A 6-foot high wooden opaque privacy fence shall be required along the ~~northeastern and~~ northwestern property line. The fence shall be subject to review and approval of the Director of Planning and Development.

3. To abide by the following requirements, dedications and improvements.

- A. Provide a left turn lane on Old Peachtree Road at the project entrance.
- B. Provide an acceleration lane along the frontage of the property, which shall extend south toward the intersection of Buford Drive.

GWINNETT COUNTY BOARD OF COMMISSIONERS

By: Charlotte J. Nash  
Charlotte J. Nash, Chairman

Date Signed: 4/2/19

ATTEST:

Diane Kemp  
County Clerk/Deputy County Clerk

